

MAY 22 2007



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## FACSIMILE TRANSMITTAL SHEET

**TO:** Examiner LEE S. COHEN

**FIRM/COMPANY:** Mail Stop REISSUE

**FACSIMILE NUMBER:** 571 273-8300

**CONFIRMATION  
TELEPHONE:**

**FROM:** Ruth Der, Paralegal

**DIRECT DIAL:** 415.957-3031

**DATE:** May 22, 2007

**USER NUMBER:**

**FILE NUMBER:** Reissue Serial No. 10/601,288, Atty. Docket No. R0370-02101

**TOTAL # OF PAGES:** 6  
(INCLUDING COVERSHEET)

**MESSAGE:** Attached is *Response To Notice Of Non-Compliant Amendment*  
(37 CFR 1.121).

*Please confirm receipt of this facsimile.*

NOTE: Original will NOT follow

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 415.957-3000.

**RECEIVED  
CENTRAL FAX CENTER****MAY 22 2007****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Reissue Application for

Patent No.: 6,251,107

Issued: June 26, 2001

Inventors: Alan K. Schaefer

Reissue Serial No.: 10/601,283

For: EP CATHETER

Filed: June 20, 2003

Examiner: Lee S. Cohen

Group Art Unit: 3739

Atty. Docket No.: R0370-02101

**TRANSMITTAL****CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8**

I hereby certify that this correspondence is being transmitted by facsimile (571) 273-8300 and addressed to Attention: Examiner Lee S. Cohen, Mail Stop REISSUE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 22, 2007 in San Francisco, CA.

By: 

Mail Stop Reissue  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application are:

- X Response To Notice Of Non-Compliant Amendment (37 CFR 1.121) including;  
X Copy of Notice Of Non-Compliant Amendment (37 CFR 1.121) mailed  
04/26/2007.

2. Fees due

- X There is no fee due with this communication. However, the Commissioner is authorized to charge the fees due, deficiency of fees and to credit any overpayment of fees associated with this communication set forth under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0370-02101. A duplicate copy of this sheet is enclosed for this purpose.

Respectfully submitted,

By: 

Edward J. Lynch  
Registration No. 24,422  
Attorney for Patentee

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San Francisco, CA 94105  
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**RECEIVED  
CENTRAL FAX CENTER****MAY 22 2007****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Reissue application of

Patent No.: 6,251,107

Issued: June 26, 2001

Inventor: Alan K. Schaer

Reissue Serial No.: 10/601,288

For: EP CATHETER

Filed: June 20, 2003

Examiner: Lee S. Cohen

Group Art Unit: 3739

Atty. Docket No.: R0370-02101

**RESPONSE TO NOTICE OF  
NON-COMPLIANT AMENDMENT  
(37 CFR 1.121)****CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8**I hereby certify that this correspondence is being transmitted by facsimile to Attn: Lee S. Cohen at (571) 273-8300, Mail Stop Reissue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 22, 2007, in San Francisco, CA.By: Mail Stop Reissue  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Patentee was mailed April 26, 2007 the enclosed copy of the Notice Of Non-Compliant Amendment (37 CFR §1.121) in the above-referenced application. Please note that the application herein is a reissue application. Patentee believes that he has complied with 37 CFR §1.173 in the claim amendments filed April 17, 2007.

Patentee respectfully requests that the aforementioned Notice be withdrawn.

Respectfully submitted,

By: Edward J. Lynch  
Registration No. 24,422  
Attorney for PatenteeDUANE MORRIS LLP  
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San Francisco, CA 94105  
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MAY 22 2007



## UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,288	06/20/2003	Alan K. Schuer	09610,1271	1511

7590 04/26/2007  
Edward J Lynch  
One Market  
Spear Tower Suite 2000  
San Francisco, CA 94105

RECEIVED  
MAY 22 2007

DUANE MORRIS

EXAMINER	
COHEN, LEE S	
ART UNIT	PAPER NUMBER
3739	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
30 DAYS	04/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

*Correction due May 26, 2007*

DOCKETED

2007  
BY *[Signature]*

# **Notice of Non-Compliant Amendment (37 CFR 1.121)**

Application No.

10/601268

Applicant(s)

Examiner

Cohen

Art Unit

3739

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

The amendment document filed on 17 April 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

## THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: Claims 1-35, 59-60, 64-67, 72, 74-76.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

## TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

- Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment, an amendment filed after allowance, or a drawing submission (only). If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
- Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) **only** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Denise Liles

571-272-4384

Legal Instruments Examiner (LIE), if applicable

Telephone No.

U.S. Patent and Trademark Office

Part of Paper No.